

REMARKS

Claims 1-25 are pending in the present application. Reconsideration is respectfully requested in view of the following remarks.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-25 are rejected under 35 U.S.C. § 102(e) as being anticipated by Vos (U.S. Pat. No. 6,944,630). Applicant respectfully traverses this rejection for at least the following reasons.

Applicant respectfully submits that Vos does not teach or suggest a method comprising “identifying a problematic database object of the plurality of database objects using the performance data for the plurality of database objects, wherein the problematic database object is related to the performance problem” in combination with the remaining features of claim 1. In rejecting claim 1, the present Office Action cites col. 2, line 54 through col. 3, line 6 of Vos as teaching this limitation. In the cited passage, Vos states:

One embodiment may provide a database management system and method which monitors activity levels and determines appropriate schedule times. In one embodiment, statistics relating to operation of a database may be collected, wherein the database comprises one or more database objects. The statistics may include, for example, object-level statistics and/or activity-level statistics. The activity-level statistics may measure a level of activity or usage of the one or more database objects. Characteristics of the database objects may be determined either automatically or by intervention of a user. Actions to be performed on the database objects may be determined, either automatically or by intervention of a user, based on the characteristics of the database objects. A schedule for performing the actions on the database objects may be automatically determined based on the activity-level statistics. In one embodiment, the actions may be performed on the database objects based on the schedule. The performing the actions on the database objects may be confirmed. The results of the actions on the database objects may be analyzed or monitored.

Thus, Vos discloses collecting object-level statistics and/or activity-level statistics relating to operation of a database. Vos also discloses determining “characteristics of database objects” either automatically or by intervention of a user. However, Vos does not teach or suggest that determining these characteristics is equivalent to identifying a problematic database object of the plurality of database objects. Moreover, Vos does not teach or suggest that a problematic database object is identified using the performance data for the plurality of database objects.

In the same passage, Vos further discloses determining actions to be performed on the database objects based on the characteristics of the database objects. Nevertheless, Vos does not teach or suggest that these actions are determined using the performance data for the plurality of database objects. Additionally, Vos discloses that a schedule for performing the actions may be automatically determined based on the activity-level statistics. However, this determination relates to performing actions on database objects and not to identifying a problematic database object of the plurality of database objects.

Applicant reminds the Examiner that anticipation requires the presence of each and every limitation of the claimed invention, arranged as in the claim, in a single prior art reference. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). For at least the reasons discussed above, Vos fails to disclose a method comprising “identifying a problematic database object of the plurality of database objects using the performance data for the plurality of database objects, wherein the problematic database object is related to the performance problem.” Therefore, Vos cannot be said to anticipate claim 1.

Thus, for at least the reasons above, the rejection of claim 1 is not supported by the cited art, and removal thereof is respectfully requested. Because independent claims 9, 17, and 25 recite limitations similar to those of claim 1, these claims are also believed to patentably distinguish over Vos. The dependent claims are believed to patentably

distinguish over Vos for at least the same reasons as their respective base claims, and examples of further distinctions over the cited art recited by the dependent claims are discussed below.

Regarding claim 2, Applicant respectfully submits that Vos does not teach or suggest a method “wherein tuning the problematic database object to improve performance of access to the stored data in the database server computer system comprises moving the problematic database object from nonvolatile storage to volatile storage for improved speed of access” in combination with the remaining features of the base claim 1. In rejecting claim 2, the present Office Action cites col. 5, lines 16-20 of Vos. In the cited passage, Vos discloses that a memory medium (coupled to a CPU which executes program instructions) may include a non-volatile medium and/or a volatile medium. Vos also discloses recommending changes to physical characteristics of database objects such as a new partition or a new key (e.g., col. 3, lines 30-41). However, Vos does not teach or suggest moving the problematic database object from nonvolatile storage to volatile storage for improved speed of access. Therefore, claim 2 is believed to patentably distinguish over Vos. Similar remarks apply to claims 10 and 18.

Regarding claim 3, Applicant respectfully submits that Vos does not teach or suggest a method “wherein tuning the problematic database object to improve performance of access to the stored data in the database server computer system comprises creating a new access path to the problematic database object” in combination with the remaining features of the base claim 1. In rejecting claim 3, the present Office Action cites col. 8, lines 48-51 and col. 10, lines 41-48 of Vos. In col. 8, lines 48-51, Vos discloses collecting “access-path statistics.” In col. 10, lines 41-48, Vos discloses the use of a job control language generation component. However, Vos does not teach or suggest creating a new access path to the problematic database object. Therefore, claim 3 is believed to patentably distinguish over Vos. Similar remarks apply to claims 11 and 19.

Regarding claim 4, Applicant respectfully submits that Vos does not teach or suggest a method “wherein tuning the problematic database object to improve performance of access to the stored data in the database server computer system comprises moving the problematic database object from heavily loaded storage components to less loaded storage components” in combination with the remaining features of the base claim 1. In rejecting claim 4, the present Office Action cites col. 13, lines 45-54 of Vos, which discloses a compression analysis component that determines the effectiveness of data compression and determines the most effective compression algorithm. However, Vos does not teach or suggest moving the problematic database object from heavily loaded storage components to less loaded storage components. Therefore, claim 4 is believed to patentably distinguish over Vos. Similar remarks apply to claims 12 and 20.

Applicant also asserts that other ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time. Therefore, for at least the reasons discussed above, Applicant respectfully requests withdrawal of the § 102(e) rejection of claims 1-25.

CONCLUSION

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5760-14700/BNK.

Respectfully submitted,



B. Noël Kivlin
Reg. No. 33,929
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: October 16, 2007